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08/154,313 11/17/93 KATZ

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EXAMINER

WDD,S

ART UNIT

PAPER NUMBER

2

2608

DATE MAILED:

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This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☒ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-24 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-24 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

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Part III DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-2, 4-7, 10-12, 14-15, 17-19, 21-24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nakatsuka.

Regarding claims 1-2, 10-12, 14-15, 18-19, 22-24, Nakatsuka discloses a system for communicating with a plurality of remote locations from a central station comprising:

memory structure (17);
telephone interface structure (col. 8, line 67 - col. 9, line 5; col. 11, line 67 - col. 12, line 7; col. 12, lines 39-45; col. 14, lines 19+);
at least one central video terminal (col. 7, lines 22-40);
computer control structure (col. 7, line 53 - col. 8, line 66).

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Regarding claims 4, 17, 21, Nakatsuka provides for authenticating the entry of call schedule data (col. 10, lines 12-67; col. 11, lines 6-30).

Regarding claims 5-7, Nakatsuka provides for a plurality of video format circuits (col. 11, line 67 - col. 12, line 31).

3. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

4. Claim 13 is rejected under 35 U.S.C. § 103 as being unpatentable over Nakatsuka, as applied to claims 1-2, 4-7, 10-12, 14-15, 17-19, 21-24 above, in view of Sibbitt et al.

Nakatsuka differs from claim 13 in that it does not specify storing billing data. However, Sibbitt et al. teach the well known storage of billing data in a videoconferencing system

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(col. 3, lines 39-49; col. 8, lines 59-62) such that it would have been obvious to an artisan of ordinary skill to incorporate such storage of billing data, as taught by Sibbitt et al. within the videoconferencing system of Nakatsuka in order to properly bill each end user for actual time used.

5. Claims 3, 8-9, 16, 20 are rejected under 35 U.S.C. § 103 as being unpatentable over Nakatsuka.

Nakatsuka differs from claims 3, 16, 20 in that it does not specify an audio response unit. However, it is notoriously old and well known in the telephony art to incorporate an audio response unit for prompting information from callers. Since the Nakatsuka system requires the reception of specific data (call schedule data) from callers, it would have been obvious to an artisan of ordinary skill to incorporate an audio response unit within Nakatsuka in order to provide a user-friendly means of prompting the required information from callers.

Nakatsuka differs from claims 8-9 in that it does not specify the central video terminal unit as including a recorder/printer. However, Nakatsuka does specify the central video terminal unit as being in the form of a personal computer (col. 19, lines 47-55). It is old and well known to connect a printer to a personal computer for providing hard copies of select information from the computer such that it would have been

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obvious to an artisan of ordinary skill to incorporate a printer at the central video terminal unit of Nakatsuka in order provide a user with hard copies.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Muehrcke shows another videoconferencing system with call scheduling.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed Stella Woo, whose telephone number is (703) 305-4395. The examiner can normally be reached on Monday-Friday from 6:30 a.m. to 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, whose telephone number is (703) 305-4700.



Stella Woo
November 7, 1994



CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2600